

retary of the Interior shall cause the lands described in said application to be appraised, said appraisal to be on the basis of the value of such lands at the date of appraisal, exclusive of any increased value resulting from the development or improvement of the lands by the applicant or his predecessors in interest, and in such appraisal the Secretary shall consider and give full effect to the equities of any such applicant.

(Dec. 22, 1928, ch. 47, § 2, 45 Stat. 1070.)

#### **§ 1068b. Mineral reservation**

If the claimant requests that the patent to be issued under this chapter not contain a mineral reservation and if he can establish to the satisfaction of the Secretary that the requirements of this chapter have been complied with by such claimant and his predecessors for the period commencing not later than January 1, 1901, to the date of application, no mineral reservation shall be made unless the lands are, at the time of issuance of the patent, within a mineral withdrawal or subject to an outstanding mineral lease.

(Dec. 22, 1928, ch. 47, § 3, as added July 28, 1953, ch. 254, § 2, 67 Stat. 228.)

### **CHAPTER 26—ABANDONED MILITARY RESERVATIONS**

#### **§§ 1071 to 1073. Repealed. Oct. 31, 1951, ch. 654, § 1(114), 65 Stat. 706**

Section 1071, act July 5, 1884, ch. 214, § 1, 23 Stat. 103, provided for designation by President of abandoned military reservations for disposition by Secretary of the Interior.

Section 1072, act July 5, 1884, ch. 214, § 2, 23 Stat. 103, related to survey or subdivision of those lands and appraisal, advertisement and sale and rights of settlers.

Section 1073, act July 5, 1884, ch. 214, § 3, 23 Stat. 103, related to sale of improvements or other property on those reservations.

#### **§ 1074. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789**

Section, act July 5, 1884, ch. 214, § 5, 23 Stat. 104, authorized disposition of mineral lands of vacated military reservations under mineral-land laws of United States.

#### **EFFECTIVE DATE OF REPEAL**

Section 703(a) of Pub. L. 94-579 provided that the repeal made by that section is effective on and after Oct. 21, 1976.

#### **SAVINGS PROVISION**

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

#### **§ 1075. Repealed. Pub. L. 94-579, title VII, §§ 702, 703(a), Oct. 21, 1976, 90 Stat. 2787, 2789**

Section, act Aug. 21, 1916, ch. 361, 39 Stat. 518, provided for applicability of homestead and desert land laws to military reservations in Nevada.

#### **EFFECTIVE DATE OF REPEAL**

Section 702 of Pub. L. 94-579 provided that the repeal made by that section is effective on and after Oct. 21, 1976, except such effective date to be on and after tenth anniversary of date of approval of this Act, Oct. 21,

1976, insofar as homestead laws apply to public lands in Alaska.

Section 703(a) of Pub. L. 94-579 additionally provided that the repeal made by that section is effective on and after Oct. 21, 1976.

#### **SAVINGS PROVISION**

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

#### **§§ 1076 to 1081. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789**

Section 1076, act Mar. 3, 1893, ch. 208, 27 Stat. 593, authorized the President to withhold from sale or grant to municipal corporations portions of abandoned military reservations.

Section 1077, acts Aug. 23, 1894, ch. 314, § 1, 28 Stat. 491; Feb. 15, 1895, ch. 92, § 1, 28 Stat. 664, authorized opening of lands of abandoned military reservations to settlement.

Section 1078, act Aug. 23, 1894, ch. 314, § 2, 28 Stat. 491, limited applicability of section 1077 of this title with respect to provisions of act July 5, 1884, relating to disposition of mineral lands.

Section 1079, act Feb. 11, 1903, ch. 543, 32 Stat. 822, related to confirmation of indemnity selections by States in lieu of school sections in abandoned military reservations.

Section 1080, act Feb. 15, 1895, ch. 92, § 1, 28 Stat. 664, extended applicability of provisions relating to settlement and indemnity selection of abandoned military reservation to those abandoned prior to July 5, 1884.

Section 1081, act Aug. 23, 1894, ch. 314, § 3, as added Apr. 23, 1904, ch. 1496, 33 Stat. 306, authorized patents for homesteads on Fort Abraham Lincoln Military Reservation, North Dakota.

#### **EFFECTIVE DATE OF REPEAL**

Section 703(a) of Pub. L. 94-579 provided that the repeal made by that section is effective on and after Oct. 21, 1976.

#### **SAVINGS PROVISION**

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

### **CHAPTER 27—PUBLIC LANDS IN OKLAHOMA**

#### **SUBCHAPTER I—GENERAL PROVISIONS**

Sec.

1091 to 1094. Repealed.

1095. Reservations between sections for highway purposes.

1096 to 1098. Repealed.

1099. Division into counties before opening to settlement; reservation for county seats.

1100 to 1102g. Repealed.

#### **SUBCHAPTER II—TOWN SITES**

1111 to 1119. Repealed.

#### **SUBCHAPTER III—LANDS IN GREER COUNTY**

1131 to 1134. Repealed.

#### **SUBCHAPTER I—GENERAL PROVISIONS**

#### **§§ 1091 to 1094. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789**

Section 1091, act May 2, 1890, ch. 182, § 18, 26 Stat. 90, related to homestead entries on Indian lands.

Section 1092, act May 2, 1890, ch. 182, § 20, 26 Stat. 91, related to procedure for homestead entries.

Section 1093, act May 2, 1890, ch. 182, § 21, 26 Stat. 91, related to patents on homestead entries.

Section 1094, act May 2, 1890, ch. 182, §22, 26 Stat. 91, related to reservation and sale of townsites.

#### EFFECTIVE DATE OF REPEAL

Section 703(a) of Pub. L. 94-579 provided that the repeal made by that section is effective on and after Oct. 21, 1976.

#### SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

### § 1095. Reservations between sections for highway purposes

There shall be reserved public highways four rods wide between each section of land in said former Territory of Oklahoma, the section lines being the center of said highways; but no deduction shall be made, where cash payments are provided for, in the amount to be paid for each quarter section of land by reason of such reservation. But if the said highway shall be vacated by any competent authority, the title to the respective strips shall inure to the then owner of the tract of which it formed a part by the original survey.

(May 2, 1890, ch. 182, §23, 26 Stat. 92.)

### §§ 1096 to 1098. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789

Section 1096, act May 2, 1890, ch. 182, §24, 26 Stat. 92, related to fraudulent settlement of open lands.

Section 1097, act May 2, 1890, ch. 182, §27, 26 Stat. 93, related to rights of occupants of lands prior to May 2, 1890.

Section 1098, act Mar. 3, 1891, ch. 543, §16, 26 Stat. 1026, provided that all lands in Oklahoma be deemed agricultural lands for purposes of entry.

#### EFFECTIVE DATE OF REPEAL

Section 703(a) of Pub. L. 94-579 provided that the repeal made by that section is effective on and after Oct. 21, 1976.

#### SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

### § 1099. Division into counties before opening to settlement; reservation for county seats

Before any lands in Oklahoma are open to settlement it shall be the duty of the Secretary of the Interior to divide the same into counties which shall contain as near as possible not less than seven hundred square miles in each county: *Provided*, That as soon as the county lines are designated by the Secretary he shall reserve not to exceed one-half section of land in each, to be located near the center of said county, for county seat purposes, to be entered under sections 718 and 719<sup>1</sup> of this title.

(Mar. 3, 1891, ch. 543, §37, 26 Stat. 1043.)

#### REFERENCES IN TEXT

Sections 718 and 719 of this title, referred to in text, were repealed by Pub. L. 94-579, title VII, §703(a), Oct. 21, 1976, 90 Stat. 2789.

<sup>1</sup> See References in Text note below.

### §§ 1100 to 1102g. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789

Section 1100, acts Aug. 7, 1946, ch. 772, §1, 60 Stat. 872; Sept. 22, 1950, ch. 983, 64 Stat. 903, granting of patents to certain lands south of Cimarron base line in Oklahoma and north of north line of Texas.

Section 1101, act Aug. 7, 1946, ch. 772, §2, 60 Stat. 872, related to relinquishment by United States of title to townsite plots.

Section 1102, act Aug. 3, 1955, ch. 498, §1, 69 Stat. 445, related to management and disposition of lands conveyed to United States by Choctaw Nation.

Section 1102a, act Aug. 3, 1955, ch. 498, §2, 69 Stat. 445, authorized certain powers in Secretary to facilitate administration of such lands.

Section 1102b, act Aug. 3, 1955, ch. 498, §3, 69 Stat. 446, related to sale or leasing of lands to Oklahoma or other agency.

Section 1102c, act Aug. 3, 1955, ch. 498, §4, 69 Stat. 446, related to issuance of quitclaim deeds and reservation of mineral deposits.

Section 1102d, act Aug. 3, 1955, ch. 498, §5, 69 Stat. 446, related to granting of easements, leases or permits for nonmineral resources.

Section 1102e, act Aug. 3, 1955, ch. 498, §6, 69 Stat. 446, related to acceptance of contributions, donations, etc.

Section 1102f, act Aug. 3, 1955, ch. 498, §7, 69 Stat. 447, related to issuance of regulations by Secretary of the Interior.

Section 1102g, act Aug. 3, 1955, ch. 498, §8, 69 Stat. 447, related to deposit of moneys received into Treasury.

#### EFFECTIVE DATE OF REPEAL

Section 703(a) of Pub. L. 94-579 provided that the repeal made by that section is effective on and after Oct. 21, 1976.

#### SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

## SUBCHAPTER II—TOWN SITES

### §§ 1111 to 1119. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789

Section 1111, acts May 14, 1890, ch. 207, §1, 26 Stat. 109; July 7, 1898, ch. 571, §1, 30 Stat. 674, authorized entry by trustees on to town sites.

Section 1112, acts May 14, 1890, ch. 207, §2, 26 Stat. 109; July 7, 1898, ch. 571, §1, 30 Stat. 674, related to evidence of occupancy.

Section 1113, act May 14, 1890, ch. 207, §3, 26 Stat. 109, related to church lots.

Section 1114, act May 14, 1890, ch. 207, §4, 26 Stat. 109, related to sale or reservation of lots for public use.

Section 1115, acts May 14, 1890, ch. 207, §5, 26 Stat. 109; July 7, 1898, ch. 571, §1, 30 Stat. 674, authorized applicability of Kansas town-site law to trustees, or Commissioner after Jan. 1, 1899, in performing their duties.

Section 1116, acts May 14, 1890, ch. 207, §6, 26 Stat. 110; July 7, 1898, ch. 571, §1, 30 Stat. 674, related to preference of pending entries of town sites.

Section 1117, acts May 14, 1890, ch. 207, §7, 26 Stat. 110; July 7, 1898, ch. 571, §1, 30 Stat. 674, related to authority, duties, and compensation of trustees.

Section 1118, act Sept. 1, 1893, No. 4, 28 Stat. 11, extended town-site laws to Cherokee Outlet territory.

Section 1119, act May 11, 1896, ch. 168, §§1, 2, 29 Stat. 117; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, related to homestead entries on vacated town-sites.

#### EFFECTIVE DATE OF REPEAL

Section 703(a) of Pub. L. 94-579 provided that the repeal made by that section is effective on and after Oct. 21, 1976.

## SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

## SUBCHAPTER III—LANDS IN GREER COUNTY

**§§ 1131 to 1134. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789**

Section 1131, acts Jan. 18, 1897, ch. 62, § 1, 29 Stat. 490; June 23, 1897, ch. 8, 30 Stat. 105; Mar. 1, 1899, ch. 328, 30 Stat. 966, related to homestead settlers on lands in Greer County.

Section 1132, act Jan. 18, 1897, ch. 62, § 2, 29 Stat. 490, related to laws applicable to entries of unoccupied lands.

Section 1133, act Jan. 18, 1897, ch. 62, § 3, 29 Stat. 490, related to laws applicable to entries of town-sites.

Section 1134, act Jan. 18, 1897, ch. 62, § 7, 29 Stat. 491, authorized applicability of sections 1131 to 1134 of this title to Greer County, Oklahoma, and repeal of inconsistent provisions.

## EFFECTIVE DATE OF REPEAL

Section 703(a) of Pub. L. 94-579 provided that the repeal made by that section is effective on and after Oct. 21, 1976.

## SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

**CHAPTER 28—MISCELLANEOUS PROVISIONS RELATING TO PUBLIC LANDS**

## SUBCHAPTER I—PATENTS FOR PRIVATE LAND CLAIMS

Sec.

1151 to 1156. Repealed.

## SUBCHAPTER II—DISPOSITION OF SUSPENDED ENTRIES AND CLAIMS; INVALID AND DEFECTIVE CLAIMS AND PATENTS THEREFOR

- 1161. "Suspended entries of public lands" and "suspended preemption land claims".
- 1162. Adjudications as to suspended entries; approval.
- 1163. Patents surrendered and new ones issued.
- 1164. Extent of foregoing provisions.
- 1165. Suspension of entries for correction of clerical errors; patents.
- 1166. Limitations of suits to annul patents.
- 1167. Entries and final proofs, made out of proper district, confirmed.

## SUBCHAPTER III—SALES OF ISOLATED TRACTS

1171 to 1177. Repealed.

## SUBCHAPTER IV—TIMBER CULTURE

1181. Repeal of laws.

## SUBCHAPTER V—OREGON AND CALIFORNIA RAILROAD AND COOS BAY WAGON ROAD GRANT LANDS

- 1181a. Conservation management by Department of the Interior; permanent forest production; sale of timber; subdivision.
- 1181b. Cooperative agreements with other agencies or private owners for coordinated administration.
- 1181c. Repealed.
- 1181d. Leasing of lands for grazing; disposition of moneys; rules and regulations covering grazing lands.

Sec.

- 1181e. Rules and regulations generally; consultation and agreements with other agencies regarding fire regulations.
- 1181f. Oregon and California land-grant fund; annual distribution of moneys.
- 1181f-1. Coos Bay Wagon Road grant fund; annual payments; appraisal and assessment of land and timber; computation of payments.
- 1181f-2. Appraisal of land and timber; manner and frequency; computation of amounts upon basis of last appraisal; deduction of appraisal expenses.
- 1181f-3. Additional sum from surplus for meeting payments due from insufficient annual receipts; maximum aggregate of decennial payments; covering of excess receipts into general fund of Treasury.
- 1181f-4. Amount available for administration of Coos Bay Wagon Road grant lands under sections 1181a to 1181f of this title; covering of unused receipts into general fund of Treasury.
- 1181g. Unselected and unpatented odd-numbered sections as revested grant lands; administration as national-forest lands; revenues; prohibition against disposition or exchange.
- 1181h. Exchange of jurisdiction between Secretaries; conditions; publication in Federal Register.
- 1181i. Designation of national-forest areas within counties; disposition of revenues; approval by court.
- 1181j. Appropriations to carry out sections 1181h and 1181i.

## SUBCHAPTER VI—DISPOSAL OF MATERIALS ON PUBLIC LANDS

1185 to 1188. Transferred.

## SUBCHAPTER VII—EVIDENCES OF TITLE

1191 to 1193. Repealed.

## SUBCHAPTER VIII—INDIAN LANDS

- 1195. Negotiations for cession of lands.
- 1196. Classification and appraisal of unallotted and unreserved lands.
- 1197. Agreements with Indians not affected.
- 1198. Condemnation of Sioux lands for dam purposes; negotiation of contracts.
- 1199. Provisions to be included in contracts for condemnation of Sioux lands for dam purposes.
- 1200. Judicial determination where compensation for condemnation of Sioux lands for dam purposes rejected.
- 1200a. Preparation of appraisal schedule in determining just compensation for condemnation of Sioux lands for dam purposes; contents; transmittal to tribal representatives.
- 1200b. Inclusion of other provisions in contracts for condemnation of Sioux lands for dam purposes.
- 1200c. Submission of contracts and reports covering disagreements on condemnation of Sioux lands for dam purposes; ratification; effect.
- 1200d. Effect of condemnation of Sioux lands for dam purposes on construction of Fort Randall Dam.
- 1200e. Authorization of appropriations for relocating certain Sioux tribe members after condemnation of lands for dam purposes; conditions; title to lands acquired.

## SUBCHAPTER IX—ENFORCEMENT OF PROVISIONS

1201. Power of Secretary or designated officer.

## SUBCHAPTER X—OATHS IN CERTAIN LAND MATTERS

- 1211. Elimination of oaths for written statements; discretion of Secretary of the Interior.
- 1212. Unsworn written statements subject to penalties of presenting false claims.